



December 15, 2010

Ms. Marlene Dortch, Secretary
Federal Communications Commission
445 Twelfth Street, S.W.
Washington, D.C. 20554

Dear Ms. Dortch:

RE: Ex Parte Notice. In the Matter of Preserving the Open Internet Broadband Industry Practices. GH Docket No. 09-191. WC Docket No. 07-52

On December 14, 2010, Larry Cohen, President of the Communications Workers of America (CWA) had a meeting via telephone with Commissioner Michael J. Copps. to discuss the Open Internet proceeding.

Mr. Cohen urged Commissioner Copps to support the Open Internet Order pending before the Commission for the following reasons:

Chairman Genachowski's net neutrality framework will protect an Open Internet.

The proposal represents a good compromise negotiated by Chairman Waxman earlier this fall that includes important consumer protections: no blocking or degrading content or services on the Internet, no unreasonable discrimination, transparency, free speech. This proposal achieves what no previous proposal has achieved: broad agreement among a wide spectrum of the public and stakeholders, and a good balance between open Internet protections that will also encourage investment, jobs.

The moment to act is now. It is not clear when we will have another opportunity to get net neutrality rules. The time to act is now, so we can move on to focus on broadband build-out, investment, jobs, and adoption to build a sustainable, competitive economy.

Chairman Genachowski's net neutrality framework will incent broadband investment, innovation, and jobs. The telecom industry continues to hemorrhage jobs – 72,000 over the past two years. Telecom jobs depend on broadband investment. Broadband build-out requires a \$350 billion investment to get to global standards. Private capital will finance these investments. Chairman Genachowski's proposal protects an open Internet, while providing incentives network providers need to upgrade and expand broadband deployment.

Chairman Genachowski's net neutrality framework includes Open Internet protections for wireless. It bans blocking of any websites by wireless broadband providers, and requires wireless carriers to allow Skype and other voice and video applications on their wireless devices. It also recognizes that wireless is a different technology. There is spectrum constraint. There are mobility issues as people move

from cell site to cell site. Gaming over wireless could crash the system, inhibit voice calls, emergency 911, etc.

Chairman Genachowski's net neutrality framework will allow consumers to benefit from new applications, services, and devices. The proposal bans exclusive deals ("unreasonable discrimination") between network providers and application, service, or content providers. Broadband providers are required to treat them all equally, charging the same rates for similar services. At the same time, the proposal allows application, service, or content companies to purchase specialized quality of service. This will enable important applications such as telemedicine, home health monitoring that need such quality of service guarantees. Some call this "paid prioritization;" we call this quality of service guarantees available to all.


Chairman Genachowski's net neutrality framework will create a virtuous cycle of innovation and investment. It will not cannibalize the public Internet. Some worry that allowing companies to purchase specialized services will squeeze capacity on the public Internet. In fact, it will do the opposite. Monetization of content will drive investment in the network – increasing demand, providing needed revenues to increase capacity for everyone, helping to keep end-user consumer prices lower.

Chairman Genachowski's net neutrality framework will allow the FCC and the public to monitor Internet developments. FCC will need to monitor these rules carefully. If problems arise, the FCC can act to strengthen them in the future based on actual evidence, not hypothetical fears.

Public interest organizations representing tens of millions of Americans support the proposal. The NAACP, the National Urban League, the League of United Latin American Citizens, AFL-CIO, Communications Workers of America, International Brotherhood of Electrical Workers, and dozens of others support the proposal.

The Bottom Line. The time to act is now to get rules to protect an open Internet. Senator John Kerry got it right: Do not sacrifice the good in order to get what some consider the perfect.

Sincerely,



Debbie Goldman
Telecommunications Policy Director
Communications Workers of America

cc: Commissioner Michael J. Copps
Margaret McCarthy